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FILE NO: 54941.000033

August 25, 2003



### UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket Number: **54941.000033**

First Named Inventor: **Kevin RJB Donovan**

Title: **METHOD AND SYSTEM FOR DYNAMIC TEXTUAL AD DISTRIBUTION VIA EMAIL**

TO: **MAIL STOP APPLICATION NUMBER**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached are the following for filing with the U.S. Patent and Trademark Office:

1. ☐ Fee Transmittal Form (original and duplicate)
2. ☐ Small Entity Status Claimed: ☐ Independent Inventor  
☐ Small Business Concern  
☐ Non-Profit Organization  
☐ Statement Enclosed  
☐ Statement Filed in Prior Application; Status Still Proper and Desired
3. ☒ Specification - Total Pages: 45 (Including Abstract)

CLAIMS AS FILED						
	Claims Filed	Basic Fee Claims	Extra	Rate		Amount
				Large Entity	Small Entity	
Total Claims	30	20	10	\$ 18.00	\$ 9.00	\$ 00
Independent Claims	4	3	1	\$ 84.00	\$ 42.00	\$ 00
First Presentation of Multiple Dependent Claims				\$ 280.00	\$ 140.00	\$ 00
<b>BASIC FEE</b>				\$ 750.00	\$ 375.00	\$ 00
<b>TOTAL FILING FEE</b>						\$ 00
Assignment Recordation Fee						\$ 00
<b>TOTAL AMOUNT</b>						<b>\$ 00</b>

4. ☒ Drawings - Total Sheets: 25 (Fig(s). 1-23)
5. Oath or Declaration - Total Pages: 4
- a. ☐ Newly executed (original or copy)  
☒ New (unexecuted)
- b. ☐ Copy from a prior application  
(for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(s):  
Signed statement attached deleting inventor(s) named in prior application.
6. ☐ Application Data Sheet
7. ☐ CD-ROM or CD-R in duplicate, large table or Microfiche Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (two copies); or



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- ii. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statements verifying identity of above copies
9. ☐ Assignee/Applicant: \_\_\_\_\_
- ☐ Assignment and Assignment Recordation Form Submitted Herewith
- ☐ Assignee of Record in Prior Application No. \_\_\_\_\_ :  
\_\_\_\_\_  
recorded on \_\_\_\_\_ at Reel \_\_\_\_\_, Frame \_\_\_\_\_.
10. ☐ 37 C.F.R. 3.73(b) Statement ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement with PTO-1449 and References
- ☐ Copies of Information Disclosure Statement Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard
15. ☒ Priority is Claimed as Follows:  
\_\_\_\_\_  
\_\_\_\_\_  
☒ Claim Benefit of the Following U.S. Provisional Application No(s).:  
**60/422,844 filed November 1, 2002**  
\_\_\_\_\_  
☐ If Foreign Priority is Claimed, Certified Copy of the Above Priority Document(s) is Submitted Herewith
16. ☒ Nonpublication Request under 35 U.S.C. § 1222(b)(2)(B)(i). Applicant must attach Form PTO/SB/35 or its equivalent.
17. ☐ Other: \_\_\_\_\_



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18. ☐ Continuation ☐ Divisional ☐ Continuation-in-Part of  
Prior Application No.: \_\_\_\_\_ filed \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Group Art Unit \_\_\_\_\_

- ☐ Incorporation By Reference (useable if Box 5b is marked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application papers.

- ☐ Complete Application Based on Provisional Application No.: \_\_\_\_\_  
filed \_\_\_\_\_.

19. Please address all correspondence to:

☒ **CUSTOMER NUMBER 21967**

**Brian M. Buroker**  
Intellectual Property Department  
Hunton & Williams LLP  
1900 K Street, N.W.  
Suite 1200  
Washington, DC 20006-1109

20. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is as follows:  
☒ The power of attorney is to: the Hunton & Williams LLP attorneys and agents associated with **CUSTOMER NUMBER 21967**
21. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed. In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any such variance to **Deposit Account No. 50-0206**.



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- ☐ The U.S. Patent and Trademark Office is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to **Deposit Account No. 50-0206.**

Respectfully submitted,

By: Brian M. Buroker  
Brian M. Buroker  
Registration No. 39,125


Enclosures

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		Kevin RJB DONOVAN		
	Title	METHOD AND SYSTEM FOR DYNAMIC TEXTUAL AD DISTRIBUTION VIA EMAIL			
	Attorney Docket No.		54941.000033		

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen (18) months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

August 25, 2003 \_\_\_\_\_  
Date

 \_\_\_\_\_  
Signature

Brian M. Buroker \_\_\_\_\_  
Typed or printed name

39,125 \_\_\_\_\_  
Registration No.

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen (18) months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen (18) months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**